
SENATE RESOLUTION

URGING THE HAWAII'I STATE ETHICS COMMISSION TO RECOGNIZE AND AFFIRM THE EXEMPTION OF CULTURALLY SIGNIFICANT AND CUSTOMARY GIFTS FROM GIFT RESTRICTIONS AND REPORTING REQUIREMENTS UNDER CHAPTER 84, HAWAII REVISED STATUTES.

1 WHEREAS, chapter 84, Hawaii Revised Statutes, was enacted
2 to preserve public trust, ensure transparency in government
3 operations, and prevent improper influence on public officers
4 and employees; and

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6 WHEREAS, the giving and receiving of culturally significant
7 items, including lei, traditional foods, pa'akai (Hawaiian salt),
8 and other customary materials, are longstanding expressions of
9 aloha, respect, gratitude, and protocol deeply rooted in Native
10 Hawaiian and other cultural practices of the State; and

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12 WHEREAS, these practices enrich civic life, strengthen
13 community relationships, and facilitate meaningful cultural
14 exchange reflective of the diversity and heritage of the State;
15 and

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17 WHEREAS, requiring public officers and employees to assign
18 monetary value to such culturally significant gifts, or treat
19 them as commercial gifts subject to reporting requirements, has
20 created confusion, administration burden, and an unintended
21 deterrent to cultural participation; and

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23 WHEREAS, such requirements may inhibit the free exercise of
24 cultural expression in public and civic settings, contrary to
25 the values and traditions of the people of the State; and

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27 WHEREAS, culturally significant and customary gifts are not
28 given with the intent to influence official action, but rather
29 serve as expressions of respect, protocol, and community
30 connection; now, therefore,

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1 BE IT RESOLVED by the Senate of the Thirty-third
2 Legislature of the State of Hawaii, Regular Session of 2026,
3 that the Hawai'i State Ethics Commission is urged to formally
4 recognize that the receipt or exchange of culturally significant
5 and customary gifts shall not constitute a prohibited or
6 reportable gift under chapter 84, Hawaii Revised Statutes, when
7 not given with the intent to influence official action; and
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9 BE IT FURTHER RESOLVED that culturally significant and
10 customary gifts include but are not limited to:
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- 12 (1) Lei or garlands made of flowers, leaves, shells,
13 seeds, or similar materials;
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15 (2) Traditional or customary foods prepared or shared in
16 accordance with cultural practice;
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18 (3) Pa'akai (Hawaiian salt) and other traditional cultural
19 materials exchanged as expressions of respect,
20 protocol, or aloha; and
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22 (4) Other items of similar cultural nature that are not
23 given with the intent to influence official action;
24 and
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26 BE IT FURTHER RESOLVED that this body affirms that such
27 cultural practices are vital expressions of community, respect,
28 and identity, and should not be treated as improper influence
29 under ethics laws; and
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31 BE IT FURTHER RESOLVED that this body encourages the Hawai'i
32 State Ethics Commission to issue clear advisory guidelines to
33 public officers and employees to ensure consistent and
34 culturally appropriate application of ethics laws; and
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36 BE IT FURTHER RESOLVED that certified copies of this
37 Resolution be transmitted to the Executive Director of the
38 Hawai'i State Ethics Commission and members of the Hawai'i State
39 Ethics Commission.
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